



THE

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PART—I-B

Jammu and Kashmir Government—Notifications.

GOVERNMENT OF JAMMU AND KASHMIR
CIVIL SECRETARIAT HOME DEPARTMENT, J&K.

Notification

Jammu, the 10th December, 2022.

SO—669.— Whereas, on 01-06-2022, an information was received by the Police Station, Shopian, to the effect that some unknown gunmen fired upon a person identified as Farooq Ahmad Sheikh S/o Gh. Nabi Sheikh R/o Chidren, Keegam, Shopian, with their illegal

arms/ammunition, with the intention to kill him, resulting in injuries to him and was shifted to Hospital for treatment ; and

2. Whereas, based on the above, a case FIR No. 97/2002 under Sections 307 IPC, 7/27 Arms Act, and the Sections 16 and 20 of ULA (P) Act, was registered in the Police Station, Shopian and the investigation of the case was set into motion. Subsequently, during the investigation, the Sections 307 IPC, 16 of ULA (P) Act were dropped and the Sections 199, 337 IPC, 7/25 Arms Act, 20, 23 and 39 of ULA (P) Act were added in the case; and

3. Whereas, during the investigation, the site plan of the place of occurrence and the seizure memos were prepared and the statements of the witnesses acquainted with the facts and circumstances of the case were recorded under the relevant provisions of law ; and

4. Whereas, during the investigation, three persons identified as Abid Ahmad Shah S/o Mehraj-ud-Din Shah R/o Chidren, Keegam, Danish Iqbal Qazi S/o Late Angrez Qazi R/o Taad , Karnah, Kupwara and Zahid Ahmad Mir S/o Gh. Hassan Mir R/o Pirpora, Keegam, were found involved in the commission of crime. Subsequently, the accused were arrested in the case and were found in contact with a Terrorist of Al-Badr banned outfit namely Arjumand Gulzar Dar S/o Gulzar Ahmad Dar R/o Ratnipora, Pulwama at present Pakistan, through the virtual mode ; and

5. Whereas, during the investigation, it was found that the accused viz. Danish Iqbal Qazi, handed over 01 Pistol, 02 Magazines and 10 Rounds to the accused viz. Abid Ahmad Shah, on the directions of PoK Terrorist namely Arjumand Gulzar Dar, for killing of non-local labour in the area. The accused viz. Abid Ahmad Shah, alongwith two other accused namely Farooq Ahmad Sheikh (injured person) and Zahid Ahmad Mir, went to the Orchards of Village Chidren, where the accused viz. Abid Ahmad Shah, loaded the said Pistol which went off suddenly due to which the accused viz. Farooq Ahmad Sheikh, got injured. Subsequently, during the investigation, 01 Pistol, 02 Magazines, 19 Rounds and 02 Chinese Hand Grenades were recovered at the instances of accused Abid Ahmad Shah and Danish Iqbal Qazi respectively ; and

6. Whereas, during the investigation it was established that the accused viz. Farooq Ahmad Sheikh, Abid Ahmad Shah, Danish Iqbal Qazi and Zahid Ahmad Mir, were working as Over Ground Workers

(OGWs) for the Terrorists of Al-Badr banned outfit particularly the PoK Terrorist viz. Arjumand Gulzar Dar, and under a well knit criminal conspiracy were providing Logistic support to them, besides, the accused Viz. Danish Iqbal Qazi and Abid Ahmad Shah, received arms/ammunition from the Terrorist viz. Arjumand Gulzar Dar, for carrying out the Terrorist Activities in the area ; and

7. Whereas, on the basis of the investigation, the statement of the witnesses recorded and other evidence collected, the Investigating Officer, has established a *prima facie* involvement of the below mentioned accused for the commission of offences punishable under sections of the Unlawful Activities (Prevention) Act, 1967, as shown against their names :

S. No.	Name of the accused	Offence
1.	Abid Ahmad Shah S/o Mehraj-ud-Din Shah R/o Chidren, Keegam.	18, 23, 39 of ULA (P) Act.
2.	Danish Iqbal Qazi S/o Late Angrez Qazi R/o Taad, Karnah, Kupwara.	
3.	Farooq Ahmad Sheikh S/o Gh. Nabi Sheikh R/o Chidren, Keegam, Shopian.	18, 39 of ULA (P) Act.
4.	Zahid Ahmad Mir S/o Gh. Hassan Mir R/o Pirpora, Keegam.	
5.	Arjumand Gulzar Dar S/o Gulzar Ahmad Dar R/o Ratnipora, Pulwama, at present Pakistan.	18, 20 of ULA (P) Act.

8. Whereas, the accused viz. Zahid Ahmad Mir, has been found Juvenile during the Investigation, and in view of Section 1(4) of the Juvenile Justice (Care and Protection of Children) Act, 2015, the apprehension, detention, prosecution, penalty or imprisonment shall be governed by the said act ; and

9. Whereas, the accused Terrorist viz. Arjumand Gulzar Dar, is absconding and the proceedings under section 299 Cr. P.C. have been proposed to be initiated against him ; and

10. Whereas, the Authority, appointed by the Government under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, has independently examined the Case Diary File and all the other relevant documents relating to the case and has come to the conclusion that a *prima facie* case is made out against the above accused ; and

11. Whereas, after perusing the Case Dairy File, the relevant documents and also taking into consideration the views of the Authority appointed under Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government is of the view that there is sufficient material and evidence available against the above mentioned ascused for their prosecution under the provisions of law.

Now, therefore, in exercise of the powers conferred by Sub-Section (2) of Section 45 of the Unlawful Activities (Prevention) Act, 1967, the Government hereby accord sanction for launching prosecution against the accused viz.Farooq Ahmad Sheikh, Abid Ahmad Shah, Danish Iqbal Qazi and Arjumand Gulzar Dar, for the commission of offences punishable under the relevant Sections of ULA (P) Act, as indicated against each accused at Para (7) above, arising out of FIR No. 97/2022 of Police Station, Shopian..

By order of the Government of Jammu and Kashmir.

(Sd.) R. K. GOYAL, IAS,
Financial Commissioner/
Additional Chief Secretary.